

REMARKS

Applicants acknowledge with appreciation the time and courtesies extended by the Examiner and her Supervisor toward Applicants' representative during the telephonic interview of January 26, 2005. The Examiner's insights and comments have advanced the prosecution of the case.

During the interview, the Examiner and her Supervisor suggested that Applicants amend claim 1 to include the subject matter set forth in canceled claim 20 and recite that the cyclized conotoxin peptide has conotoxin peptide activity. In response, Applicants have made this amendment. Applicants reserve the right to pursue canceled subject matter in future continuing applications.

After entry of the present amendments, claims 1, 3-12, 17-18, and 21-28 will be pending. New claims 27-28 and the amendments to claims 1, 3, 4, 6, 7, 9, and 21-25 are fully supported by the specification as filed.

REJECTIONS UNDER 35 U.S.C. §112, FIRST PARAGRAPH

Claims 1-9, 11-13, 15, and 17-25 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking written description and enablement. The Examiner and her Supervisor proposed various amendments to overcome the rejection during the telephone interviews with Applicants' representative. Applicants have adopted these suggestions. Therefore it is submitted that this rejection has been overcome by amendment. It is respectfully requested that the rejection of claims 1-9, 11-13, 15, and 17-25 under 35 U.S.C. §112, first paragraph, be removed.

REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claim 2 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for use of the term "activity". To the extent that the rejection applies to the claims as amended, Applicants respectfully traverse. In the interview, it was suggested by the Examiner's Supervisor that claim 1 be amended to recite that the cyclized conotoxin peptide has conotoxin peptide activity. The activities of α - or ω - conotoxin peptides are well known in the art.

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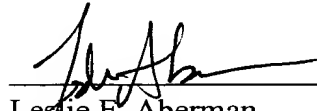
Claims 6-9 were rejected as allegedly indefinite for use of the phrase "linear conotoxin peptide". Claims 6-9 have been amended to more clearly reflect the claimed subject matter.

Claims 21-25 were rejected as allegedly indefinite for lacking an essential step. Although Applicants' do not necessarily concur, claims 21-25 have been amended to more clearly reflect the claimed subject matter.

Claims 17-18 were rejected as indefinite as allegedly indefinite. Applicants respectfully traverse. As discussed in the interview, the activities of α - and ω - conotoxin peptides are well known in the art.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Favorable consideration and an early notice of allowance are respectfully requested

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